

FINANCE DEPARTMENT
(REGULATIONS)

The 27th September, 1982

No. 2/1(7)79-2F.R. II.—In exercise of the powers conferred by the clause (2) of article 283 of the Constitution of India, all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules further to amend the Punjab Financial Rules, Volume I, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Financial Volume I (Haryana Eighth Amendment) Rules, 1982.
2. In the Punjab Financial Rules, Volume I, for rule 5.3 the following rule shall be substituted, namely :—

“5.3. (1) Pay and allowances can be drawn for the day of the Government employees death the hour at which death takes place has no effect on the claim.

Note.—‘day’ for the purpose of this rule should mean a calendar day beginning and ending at Midnight.

(2) Pay and allowances of all kinds claimed on behalf of a deceased Government employee may be paid without production of the usual legal authority—

- (a) if the gross amount of the claim does not exceed Rs 5,000, under orders of the Head of the office in which the Government employee was employed at the time of his death; provided that the Head of the office is otherwise satisfied about the right and title of the claimant; and
- (b) if the gross amount of the claim exceeds Rs 5,000, under the orders of the Department of the Government or of the Head of Department or the Administrator, or of any officer of that Department declared as Head of Department, as the case may be, on execution of an indemnity bond in P. F. R. form 4 duly stamped for the gross amount due for payment with such sureties as may be deemed necessary ;

Provided that the authority mentioned in clause (a) of sub-rule (2) may make anticipatory payment of an amount not exceeding Rs 500 in respect of higher claims as well.

Note 1.—The Head of Department here means a Head of Department as defined in rule 1.23 of Punjab Financial Rules, Volume I.

Note 2.—Normally there should be two sureties, both of known financial stability, unless the gross amount of the claim is less than Rs 7,500 in which case the authority accepting the indemnity bond in P. F. R. form 4 for and on behalf of the Governor should decide, on the merits of each case, whether to accept only one surety instead of two.

Note 3.—The obligor as well as the sureties executing the indemnity bond should have attained majority so that the bond.

may have legal effect or force. The bond is also required to be executed on behalf of the Governor by an officer duly authorised under article 299 (i) of the Constitution of India.

(3) In case of any doubt, payment shall be made only to the person (s) producing the legal authority.

(4) The procedure to be followed in regard to the preferring, withdrawal and disbursement of claims of deceased Government employee to their rightful claimants will be as under:—

On receipt of the claim for payment of arrears of pay and allowances on behalf of a deceased Government employee from his/her heirs, the Head of the office in which the Government servant was last employed should draw the amount in the appropriate bill form from the treasury. The claims should be supported by all the relevant certificates which the Head of the office is required to furnish in the normal circumstances. However, in respect of the certificates which solely depend on the personal knowledge of the Government employee, and which obviously cannot be furnished by the Head of the office, the Head of the office should record if he is satisfied about the correctness of the claim and

furnish a certificate of the effect that the claim is not susceptible of verification but is considered reasonable. The amount should be disbursed to the claimant claimants by the Head of the office of his own where the gross amount of the claim does not exceed Rs 5,000 in terms of clause (a) of sub-rule 2 and under orders of higher authorities if the gross amount of the claim exceeds Rs 5,000 as mentioned in clause (b) of sub-rule (2). A formal stamped receipt, where necessary, should be obtained from the claimant (s).

Note.—The procedure prescribed in this rule shall apply to any claim for payment of dues or honorarium payable to deceased non-officials, including deceased non-official members of any Commission/Committee, whether statutory or not; as it applied to the claim for payment of pay and allowances of a deceased Government employee.

5.3A (1) The payment of arrears of pension due in respect of a deceased pensioner shall be regulated by the following rules:—

Pension can be drawn for the day of pensioner's death.—

- (a) the hour at which death takes place has no effect on the claims;
- (b) on the death of a pensioner, payment of any arrears, actually due may be made to his heirs, provided that they apply within one year of his death; they cannot be paid thereafter without the sanction of the pension sanctioning authority to be obtained through the Accountant-General.

Provided that if the arrears do not exceed Rs 1,500 and the case presents no peculiar features, the Accountant General may pass the arrears on his authority,

- (c) subject as provided in the preceding sub-rule, the provisions of rule 5.3 shall apply to payment of arrears of pensions due in respect of a deceased pensioner, as they apply to payment of arrears of pay and allowances due in respect of a deceased Government employee except that, in the event of the pensioner's death after commencement of pension, the power vested in the Head of the office under clause (a) of sub-rule (2) of rule 5.3 shall be exercised by the Collector of the district in which the Treasury is located.

Note.—The arrears due in respect of a deceased pensioner who immediately before his death, was being paid provisional pension through the Head of office, shall also be payable in accordance with the provisions of this rule on finalisation of the pension claim.

(2) Any person claiming as the legal heir of deceased pensioner shall be required to produce the pensioner's portion of the pension payment orders or if no such order has been issued, the copy of the the order in which the sanction to the pension was communicated to the pensioner of the heir.

(3) After payment of the arrears of pension, both portions of the pension payment order shall be returned to the Accountant-General, with a report of the date of the death of the pensioners, except in the case of pensioners governed by Appendix I of the Punjab Civil Services Rules, Volume II, in which case the pensioner's portion of the Pension payment order will be returned to the widow(er) and the disburser's portion will be retained by the Treasury Officer."

T. K. BANERJI,

Commissioner and Secy.

राजस्व विभाग

युद्ध जागीर

दिनांक 1 अक्टूबर, 1982

क्रमांक 1304-ब(I)-82/24637--श्री मेहगा सिंह, पुत्र श्री काका सिंह, गांव मुसिम्बल, सहस्रल जमाधरी, जिला अम्बाला की दिनांक 21 जून, 1975 को हुई मृत्यु के परिणामस्वरूप हरियाणा के राज्यपाल, पूर्वी पंजाब युद्ध पुरस्कार अधिनियम 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 4 एवं 2(ए) (1ए) तथा 3(1ए) के अधीन प्रदान की गई शक्तियों का प्रयोग करते हुए श्री मेहगा सिंह को मुस्लिम 150 रुपये वार्षिक की जागीर जो उसे हरियाणा सरकार की अधिसूचना क्रमांक 2573-र-III-69/16005, दिनांक 28 जून, 1969 तथा अधिसूचना क्रमांक 5041-आर-III-70/29505, दिनांक 8 दिसम्बर, 1970 द्वारा मंजूर की गई थी, अब उसकी विधवा श्रीमती कैसर कौर के नाम रखी, 1976 से खरीफ, 1979 तक 150 रुपये वार्षिक तथा रबी, 1980 से 300 रुपये वार्षिक की दर से सनद में दी गई शक्तों के अन्तर्गत प्रदान करते हैं।